

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF FISH AND GAME

DIVISION OF HABITAT

1800 Glenn Highway, Suite 6
Palmer, AK 99645-6736
PHONE: (907) 861-3200
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FISH HABITAT PERMIT FH-11-IV-0002-GP

ISSUED: January 1, 2011
EXPIRES: December 31, 2011

General Public:

Re: Vehicle and Equipment Ford—Matanuska-Susitna Borough

Goose Creek – Water Body - 247-41-10220-2230
Section 10, T. 23 N., R. 4 W., S.M.
South Tom Price Road

Alaska law (AS 16.05.871) requires that a permit from the Division of Habitat be obtained prior to operating wheeled or tracked vehicles in or on the bed, bank, or waters of specified anadromous fish-bearing streams and lakes. The bridge on South Tom Price Road has been removed, and use of a stream ford is warranted. This permit does not obligate or imply that the Division of Habitat will renew this authorization in the future. The Division of Habitat will continue working with local residents and land management agencies to ensure that off road vehicle use avoids and/or minimizes adverse impacts to fish and wildlife resources and habitat areas.

Pursuant to AS 16.05.871(b), the Alaska Department of Fish and Game, Division of Habitat has determined that both the public interest and the proper protection of fish and game would be served by issuing a general permit (GP) authorizing vehicle stream crossings at the existing stream ford listed above. This General Permit authorizes stream crossings **only at the specific existing ford as described herein and identified by the legal description above**. The use of any ground-effect motorized vehicle to cross this stream at locations other than that which is specified or to cross any other specified anadromous fish-bearing waterway **IS NOT ALLOWED**, unless otherwise authorized in writing by the Division of Habitat. This GP does not authorize cross-country movement of equipment on state lands or other activities not allowed under 11 AAC 96.020 (Generally Allowed Uses on State Lands).

This GP authorizes stream crossings of equipment with a curb weight of up to 10,000 pounds. For purposes of this permit, "curb weight" is defined as "the weight of the vehicle with a full tank of fuel and all liquids topped off, but with no one sitting in the vehicle and no cargo loaded". Use of ground contact vehicles with a curb weight of more than 10,000 pounds will require an individual Fish Habitat Permit before crossing any anadromous fish bearing stream. Please contact the Palmer Division of Habitat for permit application materials and/or additional information (907-861-3200). For additional information regarding regulations governing the cross country movement of equipment on state lands, please contact The Department of Natural Resources, Public Information Center in Anchorage (907-269-8400).

When crossing a stream with any motorized vehicle, you are required to cross within the shortest and most direct approach, while maintaining safety. This is usually perpendicular to the flow of the water. However, the Division of Habitat is aware that stream crossing locations may change

depending on stream flow conditions. Because of this, non-perpendicular crossings may be necessary for safety.

This permit authorizes the operation of vehicles in the flowing waters of Goose Creek only to access the opposite bank of the stream. Driving a vehicle up and downstream for any other purpose, including general recreation is strictly prohibited. Vehicles may not linger or delay while crossing streams. Harassing fish while crossing any stream is prohibited by regulation (5 AAC 75.060). Washing mud from vehicles while the vehicle is in the flowing waters of a stream is prohibited.

Goose Creek (Water Body - 247-41-10220-2230) is specified as important for spawning and rearing of Chinook, coho, pink and chum salmon. This stream also supports a variety of resident fish species.

In accordance with AS 16.05.871(d), the movement of wheeled or tracked vehicles on the bed and banks at the stream ford (listed above) is authorized subject to the following stipulations:

1. Stream crossings shall be made as directly as possible. Vehicle operation within streams shall be limited to that necessary to safely cross the water body.
2. The bed or banks of the specified water body shall not be altered or disturbed in any way to facilitate crossings. The existing ford shall not be modified, expanded, repaired, or otherwise changed without the prior written approval of the Division of Habitat.
3. No vehicles shall be operated on the vegetated streambanks or in a manner or location that induces erosion or sedimentation of specified anadromous fish-bearing waters.

This permit does not apply to commercial operators. Commercial operators who need to conduct equipment or vehicle crossings of anadromous streams must obtain an individual Fish Habitat Permit prior to commencement of commercial operations. Please contact the Palmer office of the Division of Habitat for permit application materials and/or for additional information (907-861-3200).

You are responsible for the actions of persons who participate in the approved activity. For any activity that significantly deviates from this approval, you shall notify the Division of Habitat and obtain an individual permit before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when a deviation from the approved activity is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the State free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

This letter constitutes a permit issued under the authority of AS 16.05.871. Please be advised that this determination applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other permits; state, federal, or local. You are still required to comply with all other applicable laws.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish and game

January 1, 2011

created by the project and which was a direct result of the failure to comply with this General Permit or any applicable law.

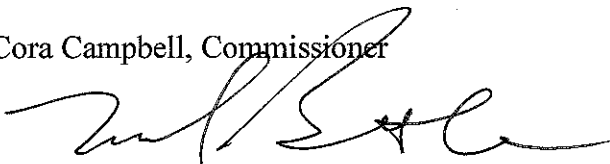
You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

Any questions or concerns about this permit may be directed to Habitat Biologist Maria Shepherd at (907) 861-3204 or emailed to maria.shepherd@alaska.gov.

Sincerely,

Cora Campbell, Commissioner



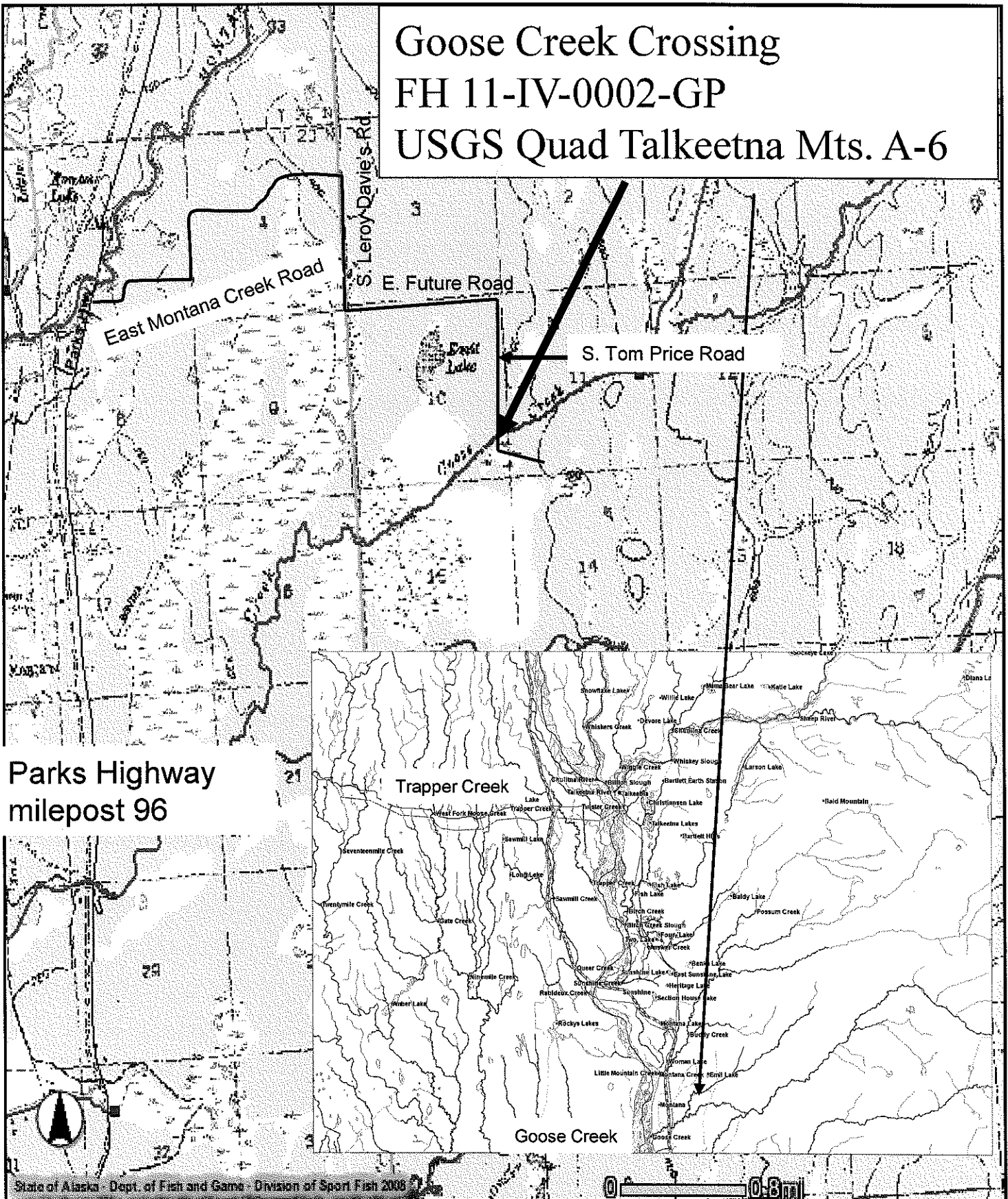
By: Michael L. Bethe, Habitat Biologist
Division of Habitat
(907) 861-3202

Enclosure: Goose Creek Crossing Map

-mfs

cc: T. Oleck, AWT	M. Agnew, AWT	J. Fox, CF	S. Ivey, SF
L. Books, DMLW	A. Ott, Habitat	D. Massie, AWT	B. Soiseth, COE
K. Nelson, COE	C. Larson, DMLW	W. Biessel, DPOR	R. Guertin, MSB
A. Lee, DMLW	M. Daigneault, Habitat	K. Westphal, DMLW	A. Oels, WC
T. Kavalok, WC	R. Piorkowski, SF	G. O'Doherty, SF	City of Wasilla
City of Palmer	City of Houston		

Goose Creek Crossing FH 11-IV-0002-GP USGS Quad Talkeetna Mts. A-6



Parks Highway
milepost 96